

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT P. NESTLER,)
Plaintiff,)
v.) Civil Action No. 05-1151
CSX TRANSPORTATION, INC., a foreign)
corporation,) The Hon. Gary L. Lancaster
Defendants.) **JURY TRIAL DEMANDED**

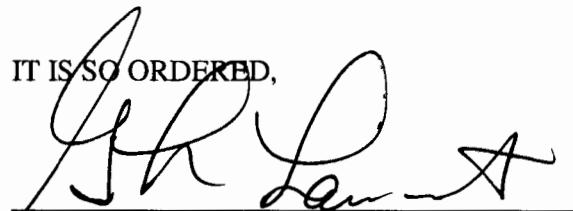
ORDER OF COURT

AND NOW, this 12th day of Oct, 2006, upon consideration of Plaintiff's

Motion to Compel Discovery and Defendant's Response thereto, it is hereby ordered that such motion is granted in part and denied in part:

- (a) within 20 days of the date of this Order, Defendant shall produce its training and educational materials pertaining to the use of clawbars;
- (b) if Defendant secures surveillance of the Plaintiff and decides to use such surveillance at trial, CSX shall make the same available for viewing to Plaintiff and Plaintiff's counsel;
- (c) Plaintiff's Motion is otherwise denied.

IT IS SO ORDERED,



Gary L. Lancaster
United States District Court Judge